

Order

Michigan Supreme Court
Lansing, Michigan

January 30, 2012

Robert P. Young, Jr.,
Chief Justice

141909

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

AVANTE MITCHELL,
Petitioner-Appellant,

v

SC: 141909
COA: 289577
Wayne CC: 08-114387-AA

STATE EMPLOYEES' RETIREMENT SYSTEM,
Respondent-Appellee.

On order of the Court, the application for leave to appeal the September 2, 2010 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals and we REMAND this case to the State Employees' Retirement Board for reconsideration of the petitioner's claim for benefits in light of *Nason v State Employees' Retirement System*, 290 Mich App 416 (2010).



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 30, 2012

Corbin R. Davis

Clerk